



*State of New Jersey*

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF LAW  
25 MARKET STREET  
PO Box 112  
TRENTON, NJ 08625-112

GURBIR S. GREWAL  
*Attorney General*

MICHELLE MILLER  
*Director*

February 26, 2020

**Via ECF**

Hon. Brian R. Martinotti, U.S.D.J.  
Clarkson S. Fisher Building & U.S. Courthouse  
402 East State Street, Courtroom 1  
Trenton, New Jersey 08608

Re: Americans For Prosperity v. Grewal, et al.  
Case No. 3:19-cv-14228-BRM-LHG

American Civil Liberties Union, et al. v. Grewal, et al.  
Case No. 3:19-cv-17807-BRM-LHG

Illinois Opportunity Project v. Holden, et al.  
Case No. 3:19-cv-17912-BRM-LHG

Dear Judge Martinotti:

This office represents the Defendants in the above-captioned cases, which have been designated as related. The parties have resolved the American Civil Liberties Union (ACLU) and Illinois Opportunity Project (IOP) cases in their entirety. The parties have agreed in those two cases to enter into consent orders that convert the pending preliminary injunctions into permanent injunctions against enforcement of the challenged statute (S150) against any “independent expenditure committee,” as that term is used in the statute, or its employees or agents. The parties agree to bear their own legal fees and costs. These permanent injunctions will not be limited to the plaintiffs in ACLU and IOP, but will also permanently enjoin enforcement of the statute against others subject to its terms, including Americans

for Prosperity (AFP). Proposed Consent Orders memorializing these terms in the ACLU and IOP cases are attached for your consideration and execution.

The parties in the AFP case are currently discussing a resolution of that case along similar lines to the ACLU and IOP Consent Orders, including AFP's claim for legal fees. We have advised Judge Goodman of the status of the AFP case. A text order was issued yesterday by Judge Goodman in AFP requiring the parties to submit a joint status report to Judge Goodman, including a proposed schedule for any further proceedings, by March 6, 2020, if the parties are unable to resolve AFP in its entirety by that date. We do not believe that the pendency of the AFP matter precludes entry of final judgments in the ACLU and IOP matters.

Thank you for your consideration of this request.

Respectfully submitted,

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Stuart M. Feinblatt  
Stuart M. Feinblatt  
Assistant Attorney General

C: All counsel of record (via ECF)